### ASEAN-US Technical Assistance & Training Facility





SUMMARY AND PARTICIPANT EVALUATION

ASEAN Trade Negotiations Course for CLMV Countries Hanoi, Vietnam (July 7-8, 2005) Phnom Penh, Cambodia (July 11-12, 2005)



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Chief of Party & Resident Trade Specialist

July 2005

In July 2005, the ASEAN–US Technical Assistance & Training Facility conducted a two-day trade negotiations course in Hanoi and Phnom Penh for 76 people, mostly from the least developed Member Countries of ASEAN. At a highly rated one-day course held earlier in Jakarta the least developed Member Countries of ASEAN were not well represented. Thus, a course specifically for those ASEAN Member Countries was requested at the ASEAN Senior Economic Officers Meeting (SEOM) in March, 2005.

The ASEAN-US Facility conducted two courses in differing locations to minimize travel costs for participants and thus ensure maximum possible impact. The first course was held in Hanoi on July 7th and 8th, the second in Phnom Penh on July 11th and 12th. SEOM leaders from Cambodia, Laos and Vietnam, Mr. Pich Rithi, Mr. Bounsom Phommavihane, and Mr. Tran Don Phong, respectively, all helped facilitate the latest training. Mr. Pich Rithi and Mr. Bounsom Phommavihane participated energetically throughout the course in Phnom Penh; and Mr. Tran Don Phong, absent because of a Consultative Meeting for the Priority Integration Sectors (COPS), was ably represented as facilitator by Bui Huy Son in Hanoi.

Nathan Associates provided three speakers: Mr. Lance Graef, Mr. Robert Fisher, and Ms. Teri Simpson Lojewski. In her opening remarks in Hanoi, Mrs. Tran Thu Hang Vietnam's Deputy Director General of the Ministry of Trade's Multilateral Trade Policy Department, praised the trainers not only for their "knowledge of international trade issues but also priceless working experience." Two former U.S. trade negotiators, Mr. Lance Graef and Mr. Fisher, provided the bulk of the training. Mr. Graef, head of the International Trade and Investment Group at Nathan Associates, was a negotiator with the United States Trade Representative (USTR) in Geneva during the Tokyo Round and Chief Market Access Negotiator during the Uruguay Round. Mr. Fisher, who worked for the USTR for 11 years, has more than 26 years of experience in international trade policy, trade agreements, and investment. He is currently a consultant for mostly private sector clients on international trade agreements such as the WTO, North American Free Trade Agreement, and the Free Trade of the Americas Agreement. Mr. Graef led a very popular session on rules of origin and joined with Mr. Fisher to cover regional and bilateral trade agreements and to lead an innovative three-part trade negotiation simulation. Mr. Fisher led sessions on the WTO framework, services, and investment.

An addition to the agenda since February, the trade negotiation simulation was clearly the star session of the July course. Through the simulation, Mr. Graef and Mr. Fisher introduced trainees to the types of interactions and trade-offs that all negotiators routinely face. After dividing trainees into country teams with different trade profiles, they instructed the teams to conduct FTA negotiations on rules of origin and services—while responding to the pressure of private sector interests. The results of their negotiations would be added to a hypothetical agreed-on tariff elimination schedule. In Cambodia, trainees from the Chamber of Commerce took on the role of the private sector on two country teams. The teams enthusiastically prepared, circulated, and publicly defended their negotiating positions as they moved toward agreement.

A third trainer, Ms. Teri Simpson Lojewski, is Resident Trade Specialist at the ASEAN-US Facility. She has more than 20 years of experience in trade policy formulation, mostly in the private sector. She has worked with more than 20 countries, assembled multinational coalitions of governments and private sector groups to engage formally and informally in trade negotiations, and facilitated a public-private sector team's design and advocacy for an effective process for formulating trade policy in Madagascar. Currently, Ms. Lojewski is assessing trade policy coordination and dialogue in ASEAN, focusing on private sector input. In her session, also added since the February course, Ms. Lojewski responded to Secretary General Ong's argument at the July COPS for improved coordination and dialogue in ASEAN by outlining the US model for trade-related coordination and dialogue, which is widely accepted as effective. She and her colleagues then described developing country case studies where effective efforts have been launched to achieve their own indigenous processes. In Cambodia, Secretary of State Sok Siphana, who opened the

training there, contributed a key component to this review of case studies by describing his own extensive experience with coordination and private sector consultations during Cambodia's WTO accession.

Thirty-two people participated in the first training course in Hanoi: 22 Vietnam, 7 from Laos, 2 from Brunei and 1 from Singapore. Forty-four people participated in the second training course in Phnom Penh: 36 from Cambodia and 8 from Laos. In their course evaluations participants gave each session an average of 5 out of a possible 6, where 6 indicates that the session was highly informative or relevant to the participants' job. Country delegations consistently gave the Final Trade Simulation Session the highest rating of all sessions, except for the Laotian delegation which rated the WTO Framework Session the highest. The least popular session overall was Session 4. It was the third of three sessions on regional and bilateral trade agreements and was intended to provide an opportunity for interactive discussion of the various subtopics addressed in the previous two sessions.1 For the Cambodian delegation, the least popular session was the Trade in Services Session; for the Vietnamese delegation, the WTO Framework. Both of these groups rated the final trade simulation the highest. When asked to identify their favorite session, the participants that took the course in Phnom Penh overwhelmingly chose the Rules of Origin session while the participants that took the course in Hanoi overwhelmingly chose the simulation exercise.

In his consultant's report on the course, Mr. Graef noted that the simulation appeared to successfully reinforce material presented in formal sessions while introducing points not easily covered in formal sessions. "I was pleasantly surprised by the degree to which participants in both Hanoi and Phnom Penh engaged in the exercise." Mr. Fisher added in his report, "I was struck by the different ways country teams organized themselves, and the interactions the team members had both within their teams and between teams as negotiators tried to develop a consensus position." Both Mr. Graef and Mr. Fisher made suggestions in their consultant reports for improvements that could be made in various sessions, including rules of origin, trade-related coordination and dialogue, and the simulation.

Participants' course evaluations reflect a thirst for knowledge among participants and make a wide range of requests for specific follow on training, including the following:

- More simulations.
- More training on rules of origin, internal and public-private sector coordination and dialog, services, regional
  and bilateral trade agreements, and WTO negotiations.
- Training on other topics, including non-tariff barriers, dispute settlement and intellectual property rights.

Referring to Mr. Graef and Mr. Fisher after one of the courses, one trainee commented, "Don't ever separate these guys! They are a fantastic training team!" In the written evaluation, another remarked that the "speakers are very interactive with a mix of seriousness in a fun way." Thus the ASEAN-US Facility adopts a new mantra, "Training is more effective when it is fun."

Following is the agenda for the Trade Negotiations Course, the Table of Contents of the course binder materials and a summary of the evaluations of both courses as submitted by participants.

<sup>&</sup>lt;sup>1</sup> Since when asked whether they would prefer more, less or the same amount of time spent on a particular session, 73% said they would have preferred more time spent on Session 4, Session 4's lower rating should not be interpreted as a preference for less interactive discussion on the topic of regional and bilateral trade agreements but rather as an indication that the session design needs attention. For example, scheduling lunch between the two substantive presentations and the related interactive discussion may have had a negative effect on discussion momentum. This session might be more effective placed directly after or incorporated into the other two sessions.

## Agenda

ASEAN CLMV Trade Negotiations Course July 7-8, 2005 Hanoi, Meliá Hanoi Hotel & Convention Center

DAVI TIII	N a	
DAY 1: JUL	<b>Y</b> 7 8:30 – 9:00	Arrival/Registration/Coffee
	9:00 - 9:15	Welcome and Introduction TBD
Session 1	9:15 - 9:45	The WTO Framework  Robert Fisher  — WTO and RTAs (Article XXIV, Enabling Clause, DDA)
Session 2	9:45 - 10:45	Regional and Bilateral Trade Agreements  Robert Fisher  — Comprehensive versus Sectoral Approach to RTAs/BTAs  — Regional Liberalization Issues
	10:45 - 11:00	Coffee Break
Session 3	11:00 – 12:00	Regional and Bilateral Trade Agreements (continued)  Lance Graef  — Deeper ASEAN Integration
	12:00 - 1:00	Lunch
Session 4	1:00 – 1:45	<b>Regional and Bilateral Trade Agreements (continued)</b> Discussion
Session 5	1:45 – 3:15	Rules of Origin in World Trade  Lance Graef  — Non-preferential (WTO)  — Preferential (RTA/BTA)
	3:15 - 3:30	Coffee Break
Session 6	3:30 - 5:00	Trade Negotiation Simulation  Lance Graef and Robert Fisher
	5:00 - 5:15	Wrap-up of the Day

## **Agenda**

# ASEAN CLMV Trade Negotiations Course

DAY 2: JUL	Y 8	
	8:30 – 9:00	Arrival/Registration/Coffee
Session 6	9:00 - 9:45	Trade Negotiation Simulation (continued)
(cont.)		Lance Graef and Robert Fisher
Session 7	9:45 - 11:00	Trade in Services
		Robert Fisher
		<ul><li>— ASEAN Integration Issues</li></ul>
	11:00 - 11:15	Coffee Break
Session 8	11:15 - 12:15	Investment
		Robert Fisher
		— ASEAN Integration Issues
	12:15 - 1:15	Lunch
g		
Session 9	1:15 – 2:15	Models for Trade Negotiations-related Coordination and Dialogue— Intragovernmental and Public-private
		Teri Simpson Lojewski
		10.1 Simpson Edgenoti
	2:15 - 2:30	Coffee Break
C : 10	0.00 0.45	Final Trade Negatistians Simulation
Session 10	2:30 – 3:45	Final Trade Negotiations Simulation  Robert Fisher and Lance Graef
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	3:45 - 4:15	Course Summary and Debrief
		Robert Fisher and Lance Graef
	4:15 - 4:30	Wrap-up/Evaluations
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## Agenda

# ASEAN CLMV Trade Negotiations Course July 11–12, 2005 Phnom Penh, Cambodia, InterContinental Hotel

DAV 1. IIII	V 11	, , , , , , , , , , , , , , , , , , , ,
DAY 1: JUL	8:30 – 9:00	Arrival/Registration/Coffee
	9:00 – 9:15	Welcome and Introduction  H.E. Mr. CHAM Prasidh (to be confirmed)  Senior Minister & Minister of Commerce  and ASEAN Economic Minister for Cambodia
Session 1	9:15 - 9:45	The WTO Framework  Robert Fisher  — WTO and RTAs (Article XXIV, Enabling Clause, DDA)
Session 2	9:45 – 10:45	Regional and Bilateral Trade Agreements  Robert Fisher  — Comprehensive versus Sectoral Approach to RTAs/BTAs  — Regional Liberalization Issues
	10:45 - 11:00	Coffee Break
Session 3	11:00 – 12:00	Regional and Bilateral Trade Agreements (continued)  Lance Graef  — Deeper ASEAN Integration
	12:00 – 1:00	Lunch
Session 4	1:00 – 1:45	<b>Regional and Bilateral Trade Agreements (continued)</b> Discussion
Session 5	1:45 – 3:15	Rules of Origin in World Trade  Lance Graef  — Non-preferential (WTO)  — Preferential (RTA/BTA)
	3:15 - 3:30	Coffee Break
Session 6	3:30 - 5:00	Trade Negotiation Simulation  Lance Graef and Robert Fisher
	5:00 - 5:15	Wrap-up of the Day

# Agenda ASEAN CLMV Trade Negotiations Course

DAY 2: JU	LY 12	
	8:15 – 8:45	Arrival/Registration/Coffee
Session 6 (cont.)	8:45 - 9:30	<b>Trade Negotiation Simulation (continued)</b> <i>Lance Graef and Robert Fisher</i>
Session 7	9:30 – 10:30	Trade in Services  Robert Fisher  — ASEAN Integration Issues
	10:30 - 10:45	Coffee Break
Session 8	10:45 - 11:45	Investment Robert Fisher — ASEAN Integration Issues
	11:45 – 12:45	Lunch
Session 9	12:45 – 1:45	Models for Trade Negotiations-related Coordination and Dialogue— Intragovernmental and Public-private  Teri Simpson Lojewski
	1:45 - 2:00	Coffee Break
Session 10	2:00 – 3:15	Final Trade Negotiations Simulation Robert Fisher and Lance Graef
	3:15 – 4:45	Course Summary and Debrief Robert Fisher and Lance Graef
	3:45 - 4:00	Wrap-up/Evaluations

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## ASEAN CLMV Trade Negotiations Course

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5	Rules of Origin in World Trade
6	Simulation Materials
7	Trade in Services
8	Investment
9	Models for Trade Negotiations-related Coordination and Dialogue— Intragovernmental and Public-private
10	Selected Resources on International Trade Suggested Readings
	Trade-related Resources on the Web Guide, Nathan Associates, 2005
	Improving Trade Policy Coordination and Dialogue in Developing Countries, Nathan Associates, 2003
	Frequently Cited Regional Trading Agreements and the Parties to Them, World Bank, Global Economic Prospect (GEP) 2005
	Regional Trade and Preferential Trading Agreements: A Global Perspective, Chapter 2, World Bank, GEP 2005
	The Future of the WTO: Addressing Institutional Challenges in the New Millennium (also known as the Sutherland Report)
11	Acronyms and Glossary

## Evaluation

## **ASEAN Trade Negotiations Course**

Hanoi, Vietnam (July 7-8, 2005) Phnom Penh, Cambodia (July 11-12, 2005)

Your answers to this questionnaire will help us to improve our training programs. Thank you for taking the time to fill it out.

#### Personal data

Years of experience in trade Country of Representation 1 to 15+ Cambodia (36), Laos (15), Vietnam (22), Brunei (2), Singapore (1)

#### **Presentations**

On a scale of 1 to 6, please rate each session on **whether or not it was informative**. A rating of 6 indicates that you found the session highly informative; a rating of 1 that you did not find it informative.

	Presentation and Presenter  The WTO Framework	Hanoi Training July 7-8	Phnom Penh Training July 11-12	Total (both trainings)
1	The WTO Framework  Robert Fisher	5.0	5.0	5.0
2	Regional & Bilateral Trade Agreements Robert Fisher	5.0	5.0	5.0
3	Regional & Bilateral Trade Agreements (cont.) <i>Lance Graef</i>	5.1	5.0	5.1
4	Regional & Bilateral Trade Agreements (cont.) <i>Interactive Discussion</i>	4.9	4.9	4.9
5	Rules of Origin in World Trade <i>Lance Graef</i>	5.2	5.0	5.1
6	Trade Negotiation Simulation Robert Fisher and Lance Graef	5.2	5.0	5.1
7	Trade in Services Robert Fisher	5.0	4.9	4.9
8	Investment Robert Fisher	5.0	4.9	5.0
9	Models for Trade Negotiations Coordination & Dialogue <i>Teri Simpson Lojewski</i>	5.0	4.9	5.0
10	Final Trade Negotiations Simulation  Robert Fisher and Lance Graef	5.5	5.0	5.2

### **Subject Matter**

Would you like to see more, the same, or less time devoted to the following negotiation topics:

		J	Both Training	gs
Session	Торіс	More	Same	Less
1	The WTO Framework	25	22	3
2 & 3	Regional and Bilateral Trade Agreements	31	15	2
4	Regional and Bilateral Trade Agreements:	35	13	2
	Interactive Discussion			
5	Rules of Origin in World Trade	37	12	1
7	Trade in Services	34	15	1
8	Investment	31	17	1
9	Models for Trade Negotiation Coordination &	29	22	0
	Dialogue			
6 & 10	Simulation Exercises	31	16	2

#### General

1. What part of this course did you like the most?

Responses from Hanoi Training	<ul> <li>Simulation exercises (13 persons)</li> <li>Regional and Bilateral Trade Agreement (6 persons)</li> <li>Rule of Origin (4 persons)</li> <li>FTA (1 person)</li> <li>Trade in Services (1 person)</li> <li>Investment (1 person)</li> <li>Case study on Improvement on Cooperation and Dialogue</li> <li>Session 1-5, case studies of developing countries.</li> <li>Efforts to improve coordination and dialogue (Madagascar, Mozambiques, Mexico).</li> <li>Most of part of this course.</li> </ul>
Responses from Phnom Penh Training	<ul> <li>Rules of Origin (12 persons)</li> <li>Regional and Bilateral Trade Agreements (9 persons)</li> <li>Investment (5 persons)</li> <li>Trade in Services (5 persons)</li> <li>Models for Trade Negotiation Coordination and Dialogue (2 persons)</li> <li>Simulation exercise (4 persons)</li> <li>FTA – RTA Discussion (1 person)</li> <li>All parts are very useful for me (2 persons)</li> <li>The way of presentation, food, facilities (1 person)</li> </ul>

2. What part of this course did you like the least?

Responses from Hanoi Training	<ul> <li>Trade Negotiation Simulation (1 person)</li> <li>The WTO Framework (3 persons)</li> <li>Investment (2 persons)</li> <li>Models for Trade Negotiation and Coordination (1 person)</li> <li>RTAs &amp; BTAs (1 person)</li> <li>Examples not always contextually relevant (but very interesting though!</li> </ul>
Responses from Phnom Penh Training	<ul> <li>Trade Negotiation Simulation (2 persons)</li> <li>The WTO Framework (1 person)</li> <li>Trade related coordination and dialogue (1 person)</li> <li>Rules of Origin (4 persons)</li> <li>Trade in Services (3 persons)</li> <li>At the end of course, we need certificate, if possible, also for some incentive for participants.</li> </ul>

3. What other topics would you like to see included?

Responses from	<ul> <li>Fact finding of some typical negotiations</li> </ul>
Hanoi Training	<ul> <li>Negotiation skill and techniques (4 persons)</li> </ul>
	<ul> <li>More experiences in trade negotiations.</li> </ul>
	• ROO
	<ul> <li>Impact of RTA/FTA on Developing Countries (2 persons)</li> </ul>
	<ul> <li>Dispute settlement mechanism &amp; Institutional issues.</li> </ul>
	• Non-Tariff
	Negotiation on WTO because now my country continue negotiation. I think  this torris years in a cutout for our country (I acc).
	this topic very important for our country (Laos).
	Multilateral Negotiation and Plural Negotiation
	<ul> <li>The Internal Coordination with the participation of the Private Sector in negotiation.</li> </ul>
	• Perhaps the state of pay on key areas of the DDA could also be included (e.g.
	NAMA & Agriculture).
	<ul> <li>Negotiation trade and tricks i.e. real experience that can be used in real negotiations.</li> </ul>
	<ul> <li>More elaboration on operational FTA/BTAs</li> </ul>
Responses from	Regional and Bilateral Trade Agreement
Phnom Penh	Rules of Origin in World Trade
Training	How to draft some agreements for negotiating i.e. Service, Investment & R/O
	More International Trade
	Trade in Services, The WTO Framework, Rules of Origin in World Trade
	Model followed by countries to apply in various form of Regional Integration
	Arrangement.
	Non-Tariff Measurement, the detail of QR
	Non Tariff
	• NTMs

Specific area of negotiation
Investment
Prefer more about the way of negotiating trade, formulation and how to
make more effective negotiation.
The other topics the directly related to Trade Negotiation
More specific topics relevant to WTO Framework and FTA
Ways to accelerate Trade in Services in the ASEAN Region
Trade related IPR, more practical seminar

4. Did this course use a good mix of lecture and interactive discussion?

5.

Responses from Hanoi Training	<ul> <li>YES (17 persons)</li> <li>Fairly (1 person)</li> <li>I wish there had been more interactive discussion.</li> <li>Very good.</li> <li>Should be improved with some small simulation exercises.</li> <li>I want to divide 2 part: 1/ lecture and 2/ discussion – No mix</li> <li>Absolutely. Speakers are very interactive with a mix of seriousness in a fun way.</li> </ul>
Responses from	• YES (24 persons)
Phnom Penh	• It will be better of the lecturer could encourage the participants to share more
Training	opinion.

6. What sorts of follow-up activities for this course would you find useful?

Responses from Hanoi Training	<ul> <li>Providing more reading, case study / simulation.</li> <li>Training on negotiation techniques.</li> <li>Study Tour.</li> <li>Test (2 persons)</li> <li>Updating on FTA negotiations in ASEAN and other regions.</li> <li>Interactive communication on concerned issues with speakers.</li> <li>Exchange knowledge and experiences in Trade Negotiation among participants and lecturers via a common forum.</li> <li>Trade Negotiation Activities.</li> <li>I think when make simulation can be every country sat together and start negotiation. Secure every country has not the same experience.</li> <li>Negotiation simulation</li> <li>Exercise / discussion</li> <li>Simulation Part</li> <li>Same Course - next level</li> <li>Mailing list/contact list for any further questions developed.</li> <li>Should distribute course + reading material before hand (softcopy?).</li> </ul>
Responses from Phnom Penh Training	<ul> <li>Countries A,B,C &amp; D have completed negotiations of FTA</li> <li>Discussion very active both participants and lectures</li> <li>All useful</li> <li>Discussion very active both participants and lectures</li> <li>Model for Trade Negotiation Coordination and Dialogue</li> <li>Regional and Bilateral Trade Agreements and Rules of Origin in World Trade</li> <li>ROO in other specific sectors and concrete example in each case</li> </ul>

- All activities from this course are useful
- The simulation exercises
- Assignment / Trade Negotiation Simulation
- Negotiation stimulated
- It would be appreciated if I could attend the follow up courses in negotiation into specific area.
- To prolong for the more time of discussion between the groups
- Questions and answers are very useful for me to understand more about the topics
- The questions and answers are the follow-up activities of this course that I found useful
- WTO Frameworks and Rules of Origin
- Training activities which can refresh trade negotiation theory and practice
- Trade Negotiation simulation and exercises
- We should have a section of negotiating face to face
- It's will useful in term of real negotiation in future.
- Group discussion
- Yes, very useful

Thank you for filling out this questionnaire. Additional comments on any aspect of this course are welcome.